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OCT 06 2005

OFFICE OF PETITIONS

In re Application of :
Wayne Kinney :
Application No. 10/605,757 :
Filed: October 23, 2003 :
Attorney Docket No. PO25.03.CIP2+ :
DECISION ON PETITION
37 CFR 1.137(b)

This is a decision on the petition under 37 CFR §1.137(b), filed August 30, 2005, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to submit the issue fee and publication fee in a timely manner in reply to the Notice of Allowance and Fee(s) Due/Notice of Allowability mailed May 26, 2005, which set a statutory period for reply of three (3) months. Accordingly, the application became abandoned on August 27, 2005. No Notice of Abandonment was mailed to the above-identified addressee.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR §1.137(b) in that (1) the issue fee (\$700) and publication fee (\$300) at the time of filing the petition; (2) the petition fee of \$750.00 (for a small entity) at the time of filing the petition; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Notice of Allowance mailed May 26, 2005 is accepted as having been unintentionally delayed.

This matter is being referred to the Office of Publications to be processed into a patent.

Telephone inquiries concerning this decision should be directed to Angela Ortiz at (571) 272-6051, or in her absence, the undersigned at (571) 272-3217.

Francis Dicks for
Brian Hearn
Petitions Examiner
Office of Petitions